

Summary of the Office Action

The drawings have been objected for minor informalities.

Claims 1, 3, and 4 stand rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by U.S. Patent No. 6,357,945 to *Losier et al.*

Claim 2 stands rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over *Losier et al.* in view of U.S. Patent No. 2,951,584 to *Bauer*.

Claim 5 stands rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over *Losier et al.* in view of U.S. Patent No. 6,474,891 to *Liu*.

Summary of the Response to the Office Action

Applicant has filed a Submission of Replacement Drawings concurrently herewith, requesting to amend FIGs. 11 and 12 to include a Prior Art label.

Applicant has amended claim 1. Applicant has canceled claim 2. No new matter has been introduced.

Applicant respectfully traverses the rejections under § 102(b) and § 103(a).

Accordingly, claims 1 and 3-8 are presently pending, claims 6-8 having been withdrawn.

All Claims Recite Allowable Subject Matter

Claims 1, 3, and 4 stand rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by *Losier et al.* Claim 2 stands rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over *Losier et al.* in view of *Bauer*. Claim 5 stands rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over *Losier et al.* in view of *Liu*. Applicant respectfully traverses

the rejections for at least the following reasons.

The features of claim 2 have been incorporated into claim 1. The Office Action admits that *Losier et al.* fails to teach each and every feature of claim 2. See Paragraph 9. To overcome this admitted deficiency, the Office Action relies upon the disclosure of *Bauer*. Applicant respectfully disagrees. *Bauer* fails to disclose that an end of the lid (7) can be fitted into a fixing recess (45; 45a) of the push button (4; 4a) to fix the push button (4; 4a), as claimed.

The Office Action alleges that it would have been obvious to a person having ordinary skill in the art to modify the device of *Losier et al.* to include a fixing recess on the push button capable of receiving an end of the lid as taught by *Bauer* for the purpose of securely locking the cover in place and preventing it from opening accidentally. See Paragraph 10. Applicant respectfully disagrees. At most, *Bauer* just discloses a complementary round groove (31) formed along the top of the push button (16) into which a round depressing rib (30) will snap to securely lock a cover in place and prevent it from opening accidentally. See FIG. 4, FIG. 5, and Col. 2, lines 45 - 53. Therefore, the groove (31) of *Bauer* performs a different function from the claimed fixing recess (45; 45a) and cannot fix the push button (4; 4a) to prevent the push button (4; 4a) from being pushed accidentally upon coupling of the lid (7).

Because *Losier et al.* fails to teach or suggest each feature of independent claim 1, the rejection under 35 U.S.C. § 102(b) should be withdrawn. *Bauer* and *Liu* fail to cure this deficiency. Furthermore, claims 3-5 depend from independent claim 1. Accordingly, claims 3-5 are also allowable because of the additional features they recite and the reasons stated above.

CONCLUSION

In view of the foregoing, Applicant respectfully requests reconsideration and the timely allowance of the pending claims. Should the Examiner feel that there are any issues outstanding after consideration of the Response, the Examiner is invited to contact the Applicant's undersigned representative to expedite prosecution.

EXCEPT for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account No. 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,
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